

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Benjamin Shelton	Team: Squad #11	CCRB Case #: 202003204	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 04/28/2020 12:37 PM	Location of Incident: [REDACTED]	Precinct: 114	18 Mo. SOL 10/28/2021	EO SOL 5/4/2022	
Date/Time CV Reported Fri, 05/01/2020 8:30 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 05/11/2020 11:34 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Glenn Dobbins	01459	946946	114 PCT
2. POM Clifford Lash	20970	930539	114 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DTS Patrick Cabrera	5118	947992	ESS 10
2. DTS Kevin Costello	5130	944467	ESS 10
3. POM Daniel Sottong	07567	940757	114 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Clifford Lash	Discourtesy: Police Officer Clifford Lash spoke discourteously to § 87(2)(b) [REDACTED]	[REDACTED]
B.POM Clifford Lash	Discourtesy: Police Officer Clifford Lash gestured discourteously toward § 87(2)(b) [REDACTED]	[REDACTED]
C.POM Clifford Lash	Discourtesy: Police Officer Clifford Lash spoke discourteously to § 87(2)(b) [REDACTED]	[REDACTED]
D.POM Glenn Dobbins	Discourtesy: Police Officer Glenn Dobbins spoke discourteously to § 87(2)(b) [REDACTED]	[REDACTED]

### Case Summary

On May 1, 2020, § 87(2)(b) filed this complaint via email with Sgt. Matthew Stanton of the 114<sup>th</sup> Precinct, who relayed it over the phone to IAB as reflected in IAB § 87(2)(g). On May 11, 2020, the CCRB received this complaint via IAB § 87(2)(g).

This complaint was received by the CCRB prior to March 27, 2021, during which time the agency was not empowered to investigate allegations of sexual misconduct.

On April 28, 2020, at approximately 12:37 p.m., § 87(2)(b) his wife § 87(2)(b) and his father § 87(2)(b) were at the laundromat that § 87(2)(b) owns at § 87(2)(b) in Queens when PO Clifford Lash and PO Glenn Dobbins of the 114<sup>th</sup> Precinct responded to § 87(2)(b)'s 911 call regarding a raccoon within the laundromat. § 87(2)(b) showed PO Lash a wound from a raccoon bite and PO Lash allegedly responded, "Are you a baby?" and it was later alleged that PO Lash told § 87(2)(b) he would need to receive rabies shots with "big-ass needles" (**Allegations A: Discourtesy, § 87(2)(g)**). PO Daniel Sottong of the 114<sup>th</sup> Precinct and Det. Patrick Cabrera and Det. Kevin Costello of the Emergency Services Unit (ESU) also responded to assist in removing the raccoon. As Det. Cabrera and Det. Costello were in the back office of the laundromat wrangling and crating the raccoon, PO Lash stood behind § 87(2)(b) in the laundromat and allegedly pinched her neck and stated, "You are so beautiful, I would take an animal bite for you" (**Allegations B and C: Discourtesy, § 87(2)(g)**). After the raccoon was removed from the laundromat, it was alleged that PO Dobbins also told § 87(2)(b) that he would need to receive rabies shots with "big-ass needles" (**Allegation D: Discourtesy, § 87(2)(g)**). PO Lash and PO Dobbins left the scene with the crated raccoon.

No arrests were made nor summons issued regarding this incident.

Video footage was obtained from the surveillance cameras of the laundromat, initially provided by § 87(2)(b) (BR 01-07) and later more extensive footage was provided by Ring (BR 08-11).

### Findings and Recommendations

**Allegation A – Discourtesy: Police Officer Clifford Lash spoke discourteously to § 87(2)(b).**

**Allegation D – Discourtesy: Police Officer Glenn Dobbins spoke discourteously to § 87(2)(b).**

No available video footage captures events occurring outside the laundromat. § 87(2)(b) stated that, prior to officers' arrival, he and § 87(2)(b) attempted to remove the raccoon, which was stuck in a plastic bag hanging from a tall set of shelves in the back office of the laundromat, and he was bitten on his left thumb by the animal (BR 12). He went outside the laundromat to tell his son what happened so § 87(2)(b) called 911. An ambulance arrived but § 87(2)(b) declined transport to a hospital. After the ambulance left, PO Lash and PO Dobbins arrived. PO Dobbins entered the laundromat with § 87(2)(b) and § 87(2)(b) remained outside with PO Lash and lifted his bloody finger for PO Lash to check it out. PO Lash told him he did not see anything while looking in the other direction. § 87(2)(b) tried to show him again and PO Lash told him he saw nothing while looking away. PO Lash asked § 87(2)(b) "Are you a baby?" Unhappy with PO Lash's behavior, § 87(2)(b) went and sat in § 87(2)(b)'s vehicle parked in front of the laundromat. PO Lash remained outside the whole time. After officers were able to remove the raccoon, they came outside with the crated animal. § 87(2)(b) again showed PO Lash and PO Dobbins his injury. PO Lash and PO Dobbins both told him he would need 16 to 18 shots to treat the injury. PO Dobbins held his hands up to show the size and described them as "big-ass needles."

§ 87(2)(b) stated she, § 87(2)(b) and § 87(2)(b) were all outside to meet both

officers as they arrived when § 87(2)(b) stated he was bitten by an animal (BR 13). PO Lash asked, “Is that what you called us for?” and told § 87(2)(b) he could not see any injury on his finger and asked, “What’re you, a baby?” She stated that neither officer discussed the size of the needles during the incident.

§ 87(2)(b) was not present for the initial conversation between PO Lash and § 87(2)(b) and was informed by § 87(2)(b) of PO Lash comparing him to a “baby” after the incident (BR 14). § 87(2)(b) was outside the laundromat when officers removed the raccoon. PO Lash placed held his hands up and apart and told § 87(2)(b) that he would need 18 of these “big-ass” needles in his stomach and that they would be painful.

PO Lash stated he and PO Dobbins met only § 87(2)(b) outside the laundromat when they arrived (BR 15). When they approached the laundromat, § 87(2)(b) told officers that he was bitten by the raccoon inside the laundromat and gestured his hand toward the officers. PO Lash did not see any injuries on his hand and there was no evidence of blood or a previous injury. PO Lash told § 87(2)(b) that he was going inside with PO Dobbins to see what was happening and entered the laundromat. PO Lash did not recall asking § 87(2)(b) “Are you a baby?” PO Lash never stated or implied that § 87(2)(b) was not acting his age, nor did he directly dismiss any alleged injury. PO Lash did not recall himself or PO Dobbins warn § 87(2)(b) at any point that he would need shots from “big-ass” needles.

PO Dobbins provided consistent testimony to PO Lash (BR 16). He did not recall § 87(2)(b) having or stating he had any injuries. After meeting § 87(2)(b) outside, he followed him inside and PO Lash remained outside. He did not know why PO Lash remained outside nor for how long and did not see him interact with anyone outside the laundromat. PO Dobbins never heard PO Lash refer to § 87(2)(b) as a baby. PO Dobbins stated neither he nor PO Lash told § 87(2)(b) at any point that he would need shots from “big-ass” needles.

PO Sottong, Det. Costello, and Det. Cabrera were not on scene at the times PO Lash allegedly spoke discourteously to § 87(2)(b) (BR 17-19). All three officers arrived after PO Lash and PO Dobbins and left before or immediately after the raccoon was crated.

§ 87(2)(g), § 87(2)(b)

**Allegation B – Discourtesy: Police Officer Clifford Lash gestured discourteously toward**

§ 87(2)(b)

**Allegation C – Discourtesy: Police Officer Clifford Lash spoke discourteously to § 87(2)(b)**

No available footage captured any interaction between PO Lash and § 87(2)(b). The surveillance camera within the back office of the laundromat captured five seconds of ESU’s wrangling of the raccoon and only depicted PO Dobbins standing at the half-opened door with no other individuals apparent in his immediate vicinity (BR 04, BR 11). No other footage captured the area at the door to the back office during ESU’s wrangling of the raccoon.

§ 87(2)(b) stated that PO Lash and PO Dobbins entered the laundromat with herself, § 87(2)(b) and § 87(2)(b) and walked to door leading into the back office where the raccoon was contained within a plastic bag hanging from shelving unit. The door had a door with two opening compartments for the top and bottom halves, and the top half was open to allow people to see inside the back office. No one entered the back room. For approximately ten minutes, PO Lash and PO Dobbins looked into the office at the bag containing the raccoon, walked in and out of the laundromat, and whispered to each other out of § 87(2)(b)’s earshot. Det. Costello and Det.

Cabrera arrived and went into the back office after she explained to them the situation. They began securing the raccoon and at some point, PO Sottong arrived to drop a cage for the raccoon, and left immediately after. It took five to ten minutes for Det. Costello and Det. Cabrera to successfully crate the raccoon. During that time, § 87(2)(b) stood next to the half-opened door and watched the ESU officers inside the office. PO Dobbins stood just in front of her, and PO Lash stood slightly behind her on her right. § 87(2)(b) was outside the laundromat the entire time and § 87(2)(b) did not know where § 87(2)(b) was. Two or three times, PO Lash lightly pinched the back of her neck and said in a faux-scared and jokey voice, “Oh, it’s right there.” PO Lash told § 87(2)(b) something along the lines of, “You are so beautiful, I would take an animal bite for you.” PO Lash’s touching and statement made § 87(2)(b) uncomfortable as she felt he was being overly familiar and unprofessional. She believed PO Lash was flirting with her which was especially inappropriate because her husband was nearby. She could not speak to PO Lash’s intentions. In response to the touches and the statement, § 87(2)(b) only smiled.

§ 87(2)(b) was outside the laundromat most of the time Det. Cabrera and Det. Costello secured the raccoon. At some point during the wrangling, § 87(2)(b) walked about halfway inside the laundromat toward the back office. He observed § 87(2)(b) standing next to PO Dobbins at the half-opened door. He did not see any officer speak to or touch § 87(2)(b). PO Lash remained outside the laundromat during this time.

§ 87(2)(b) remained outside the laundromat the entire time Det. Cabrera and Det. Costello secured the raccoon. PO Lash was inside with § 87(2)(b) and PO Dobbins. After the incident, § 87(2)(b) informed him of these allegations which was consistent with her testimony.

PO Lash followed PO Dobbins into the laundromat after speaking briefly with § 87(2)(b) in front. § 87(2)(b) and § 87(2)(b) spoke to PO Dobbins about the raccoon, and they all walked to the half-opened door at the back of the laundromat. PO Lash saw a plastic bag hanging from a shelf, which § 87(2)(b) and § 87(2)(b) explained contained the raccoon. He or PO Dobbins requested ESU over the radio to wrangle raccoon and requested an officer from their own command bring a cage to crate the raccoon. PO Sottong arrived shortly after to drop off the cage and left within a few minutes before ESU arrived. ESU officers arrived, and PO Lash told them where the raccoon was, and it took Det. Costello and Det. Cabrera a few minutes inside the office to wrangle the raccoon. PO Lash and PO Dobbins stood outside the half-opened door and watched. He did not recall who was in his direct vicinity other than PO Dobbins but stated that § 87(2)(b) and § 87(2)(b) were inside the laundromat. PO Lash did not remember any statements by anyone during the wrangling. Everyone, including himself and the ESU officers, were laughing because they could not believe that the raccoon was inside the bag. PO Lash did not recall making any physical contact with § 87(2)(b) during the incident. He did not recall telling § 87(2)(b) that she was “so beautiful” that he would “take an animal bite for her.” He never commented on her physical appearance nor expressed any romantic interest in her.

PO Dobbins provided consistent testimony to PO Lash. He stood directly in front of the half-opened door to watch ESU wrangle the raccoon as PO Lash stood directly behind him. PO Dobbins could not see PO Lash because he was looking straight ahead. § 87(2)(b) was behind PO Dobbins and PO Lash also observing ESU wrangle the raccoon. PO Dobbins did not see PO Lash make any physical contact with § 87(2)(b). PO Dobbins did not recall PO Lash telling § 87(2)(b) that she was beautiful and that he would take a raccoon bite for her. PO Lash did not express romantic or sexual interest in § 87(2)(b).

PO Sottong stated he travelled to laundromat alone from the 114<sup>th</sup> Precinct stationhouse after PO Dobbins called him to request a cage for the raccoon. When he arrived, PO Lash was outside the laundromat and PO Dobbins was inside. PO Sottong entered and observed § 87(2)(b) and § 87(2)(b) standing with PO Dobbins at the half-opened door to the back office. PO Lash entered a couple minutes later, and all three officers and civilians laughed about the situation. Det. Costello and Det. Cabrera arrived ten minutes after PO Sottong and entered the back office. He watched them inspect the bag which contained the raccoon but left before they began securing the

animal. When he left, PO Lash and PO Dobbins stood at the half-opened door with § 87(2)(b) and § 87(2)(b) standing behind both officers. PO Sottong could not estimate how far everyone was from each other, but they were grouped together. He never saw PO Lash speak to § 87(2)(b) or touch her in any way.

Det. Cabrera and Det. Costello provided consistent testimony and stated that, after PO Lash and PO Dobbins explained the situation with the raccoon, they went into the back office to secure the animal and place it in a cage that was already there. They did not recall PO Sottong being on scene while they were there. They did not focus on other individuals while they wrangled the raccoon and did not recall anyone watching them as they did so. Neither Det. Cabrera nor Det. Costello recalled PO Lash touch § 87(2)(b) nor state anything to her.

§ 87(2)(b) § 87(2)(g), § 87(2)(b)

### **Civilian and Officer CCRB Histories**

- This is the first CCRB complaint to which § 87(2)(b) has been party (BR 20).
- This is the first CCRB complaint to which § 87(2)(b) has been party (BR 21).
- This is the first CCRB complaint to which § 87(2)(b) has been party (BR 22).
- PO Lash has been a member-of-service for 18 years and has been a subject in five other CCRB complaints and of nine other allegations, of which one was substantiated (see officer history):
  - 201906818 involved a substantiated allegation of an entry of premises against PO Lash. The Board recommended formalized training and the NYPD imposed that penalty. § 87(2)(g)
- PO Dobbins has been a member-of-service for 12 years and has been subject in six other CCRB complaints and of seven other allegations, of which one was substantiated (see officer history):
  - 202008411 involves allegations of a forcible removal to hospital and refusal to provide shield number against PO Dobbins and is currently pending investigation.
  - 201906818 involved a substantiated allegation of an entry of premises against PO Dobbins. The Board recommended formalized training and the NYPD imposed that penalty. § 87(2)(g)

### **Mediation, Civil, and Criminal Histories**

- § 87(2)(b) declined to mediate this complaint.
- § 87(2)(b) filed a Notice of Claim with the City of New York claiming that PO Lash and PO Dobbins put his and others' health and safety in grave risk and seeking \$850,000 as redress (BR 23). A 50-h hearing was held on § 87(2)(b), § 87(2)(a) Gen. Mun. § 50-h(3)
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (BR 25).
- According to the OCA, § 87(2)(b) has no history of convictions in New York City (BR 26).
- According to the OCA, § 87(2)(b) has no history of convictions in New York City (BR 27).

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Squad: 11

Investigator: Benjamin Shelton Inv. Benjamin Shelton 9/1/21  
Signature Print Title & Name Date

Squad Leader: Edwin Pena IM Edwin Pena 09/02/21  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_  
Signature Print Title & Name Date